

## **REMARKS**

This paper responds to the Office Action mailed on February 15, 2006.

Claims 19, 20, 98, 104-107, 109, and 119 are amended. Claims 19, 20, 80, 81, 83, 84, 98-102, 104-110, and 113-124 remain pending in this application.

### *In the Specification*

The specification is amended to update the status of the patent application from which the instant application claims priority. No new matter is introduced.

### *§102 Rejection of the Claims*

Claims 19, 81, 104, 107, 108 and 114 were rejected under 35 U.S.C. § 102(b) for anticipation by Suguro et al. (U.S. 5,189,503, hereinafter Suguro).

Applicant respectfully traverses for at least the reasons presented below.

Independent claim 19 is amended and recites, among other things, a dielectric structure interposed between said first and second conductive capacitor plates, wherein said dielectric structure includes a non-oxidized portion and an oxidized portion, wherein the oxidized portion includes a second material, wherein “the oxidized portion directly contacts the second conductive capacitor plate”, and wherein the oxidized portion comprises titanium oxide.

Applicant believes that claim 19 is not anticipated by Suguro because Applicant is unable to find in Suguro everything recited in claim 19. For example, Applicant is unable to find in Suguro “the oxidized portion directly contacts the second conductive capacitor plate”. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 19.

Dependent claims 81 and 108 depend from claim 19 and recite the things of claim 19. Thus, Applicant believes that claims 81 and 108 are not anticipated by Suguro for at least the reasons presented above regarding claim 19, plus the additional things recited in claims 81 and 108. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claims 81 and 108.

Independent claim 107 is amended and recites, among other things, a dielectric structure interposed between said first and second conductive capacitor plates, wherein said dielectric structure includes a non-oxidized portion and an oxidized portion, wherein the oxidized portion

includes a second material, wherein “the oxidized portion directly contacts the second conductive capacitor plate”, and wherein the oxidized portion of the dielectric structure comprises titanium. Applicant believes that claim 107 is not anticipated by Suguro because Applicant is unable to find in Suguro everything recited in claim 107. For example, Applicant is unable to find in Suguro “the oxidized portion directly contacts the second conductive capacitor plate”. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 107.

Independent claim 104 is amended and recites, among other things, a dielectric structure interposed between the first and second conductive plates, wherein the dielectric structure is an oxide of a metal layer overlying the first conductive plate, the oxide comprising titanium, and wherein “the oxide of the metal layer directly contacts the second conductive plate”. Applicant believes that claim 104 is not anticipated by Suguro because Applicant is unable to find in Suguro everything recited in claim 104. For example, Applicant is unable to find in Suguro “the oxide of the metal layer directly contacts the second conductive plate”. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 104. Dependent claim 114 depends from claim 104 and recites the things of claim 104. Thus, Applicant believes that claim 114 is not anticipated by Suguro for at least the reasons presented above regarding claim 104, plus the additional things recited in claim 114. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 114.

§103 Rejection of the Claims

Claims 20, 84, 105, 109, 110 and 116 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Blodgett et al. (U.S. 5,811,990, hereinafter Blodgett) in view of Suguro et al. (U.S. 5,189,503).

Applicant respectfully traverses for at least the reasons presented below.

Independent claim 20 is amended and recites, among other things, a dielectric structure interposed between said first and second conductive capacitor plates, wherein said dielectric structure includes a non-oxidized portion and an oxidized portion, wherein the oxidized portion includes a second material, wherein “the oxidized portion directly contacts the second conductive capacitor plate”, and wherein the oxidized portion comprises titanium oxide.

Applicant believes that claim 20 is patentable over Suguro and Blodgett because Applicant cannot find a motivation to combine Suguro and Blodgett as proposed by the Office Action.

Applicant also believes that claim 20 is patentable over Suguro and Blodgett because Applicant is unable to find in Suguro and Blodgett everything recited in claim 20. For example, Applicant is unable to find in Suguro and Blodgett, whether considered individually or in combination, “the oxidized portion directly contacts the second conductive capacitor plate”. Accordingly,

Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 20.

Dependent claims 84 and 110 depend from claim 20 and recite the things of claim 20. Thus, Applicant believes that claims 84 and 110 are also patentable over Suguro and Blodgett, whether considered individually or in combination, for at least the reasons presented above regarding claim 20, plus the additional things recited in claims 84 and 110. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claims 84 and 110.

Independent claim 105 is amended and recites, among other things, a dielectric structure interposed between the first and second conductive plates, wherein the dielectric structure is an oxide of a metal layer overlying the first conductive plate, the oxide comprising titanium, and wherein “the oxide of the metal layer directly contacts the second conductive capacitor plate”.

Applicant believes that claim 105 is patentable over Suguro and Blodgett because Applicant cannot find a motivation to combine Suguro and Blodgett as proposed by the Office Action.

Applicant also believes that claim 105 is patentable over Suguro and Blodgett because Applicant is unable to find in Suguro and Blodgett everything recited in claim 105. For example, Applicant is unable to find in Suguro and Blodgett, whether considered individually or in combination, “the oxide of the metal layer directly contacts the second conductive capacitor plate”. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 105.

Dependent claim 116 depends from claim 105 and recites the things of claim 105. Thus,

Applicant believes that claim 116 is also patentable over Suguro and Blodgett, whether considered individually or in combination, for at least the reasons presented above regarding claim 105, plus the additional things recited in claim 116. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 116.

Independent claim 109 is amended and recites, among other things, a dielectric structure interposed between said first and second conductive capacitor plates, wherein said dielectric structure includes a non-oxidized portion and an oxidized portion, wherein the oxidized portion includes a second material, wherein “the oxidized portion directly contacts the second conductive capacitor plate”, and wherein the oxidized portion of the dielectric structure comprises titanium. Applicant believes that claim 109 is patentable over Suguro and Blodgett because Applicant cannot find a motivation to combine Suguro and Blodgett as proposed by the Office Action. Applicant also believes that claim 109 is patentable over Suguro and Blodgett because Applicant is unable to find in Suguro and Blodgett everything recited in claim 109. For example, Applicant is unable to find in Suguro and Blodgett, whether considered individually or in combination, “the oxidized portion directly contacts the second conductive capacitor plate”. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 109.

*Withdrawn Claims*

As stated in the previous amendment and responses, Applicant believed that at least claim 19 is a generic/linking claim for all species. In the previous amendment and responses, Applicant requested consideration and allowance of the withdrawn claims when claim 19 is allowed. Since claim 19 is now believed to be allowable, Applicant again requests consideration and allowance of the withdrawn claims when claim 19 is allowed.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6969 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

KARL M. ROBINSON

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6969

Date 15 May 2006

By \_\_\_\_\_

Viet V. Tong  
Reg. No. 45,416

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15 day of April, 2006.

Karl Robinson  
Name

Viet V. Tong  
Signature